

DENTAL BOARD OF CALIFORNIA
INITIAL STATEMENT OF REASONS

Hearing Date: August 20, 2004

Subject Matter of Proposed Regulations: Providers and Courses/Units Required for
Renewal of License

Section Affected: 1016 and 1017

Specific Purpose of each adoption, amendment, or repeal:

The proposed amendments of Section **1016**, would clarify and re-define the continuing education requirements for all licensees. The following are section-by-section proposed amendments:

[(a)(1)], [(a)(2)] - These sections will no longer define, “dental practice administration” courses. These sections propose to categorize the two types of permissible courses.

[(a)(1)(A)-(a)(1)(F)] – This section defines Category I courses, including:

- (A) Mandatory courses, and defines minimum content; (moving previous courses to subsection (F)).
- (B) Includes Oral Diagnosis and Treatment Planning related courses in Category I; (moving previous course relating to patient motivation to Category II [(a)(2)(F)]).
- (C) Adds Nutrition courses to Category I (moving previous course relating to Office Management to Category II, (a)(2)(B).
- (D) Add Corrective and Restorative Treatment to Category I.
- (E) Add courses relating to Community Emergency Situations to Category I.
- (F) Retain legal course relating to auxiliaries in Category I.

[(a)(2)(A)-(a)(2)(H)] – Define Category II courses, including:

- (A) Define Recall and Scheduling Systems as Category II.
- (B) Define Office Management, specifically adding ergonomics as Category II.
- (C) Define Sterilization Systems as Category II.
- (D) Define Alternative Delivery Systems as Category II.
- (E) Define Record Keeping as Category II.
- (F) Add Communication and Behavioral Sciences to Category II.
- (G) Add other legal matters to Category II.
- (H) Add Health Care Delivery and Sociopolitical matters to Category II.

[(a)(3)] – Make changes to courses outside the scope of the Continuing Education program, to include:

- (E) Delete Communication, as it now permissible in Category II [(a)(2)(F)].
- (F) Delete Tort Liability, since it could be covered in Category II[(a)(2)(G)], by courses in Risk Management and Malpractice.

[(d)] Defines new prior approval process for mandatory coursework.

Section 1017

The proposed changes to Section 1017 would better specify the units in Category I and Category II that can, or must, be taken for the renewal of licenses. Currently, every two years a licensee must take a designated number of hours in continuing education courses.

- (a) The board is re-defining “California Law” to more narrowly refer to the “California Dental Practice Act,” giving the provider a better focus on the concentration area of California Law.
- (b) This section defines the percentage of units allowed or required for each category. Category I units focus on interactive training directly related to patient care. Category II units gives dental health professionals the ability to pursue areas of self-interest. Whereas licensees are now required to take their required number of units in defined courses as defined in Section 1016, the proposed amendment to that section broadens the areas for coursework, but this section ensures that licensees are still taking a certain percentage of units in courses directly related to patient care.
- (b)(2) Deleting the date of April 1983 will allow the Dental Board to utilize the most current information from the American Heart Association.
- (c) This section clarifies correspondence courses versus live courses. To better define what “interactive” learning is, the board is clarifying the term, “live” with regard to lectures, classroom study, home study materials and video/computer courses.

Factual Basis:

Section 1016

Currently, the Dental Board approves the providers of these courses, and every two years a provider of these courses is to report to the Board the specific courses that they administer. With these changes, the categories of courses are better defined, and in some cases broadened. For example, Category I has always been referred to as those courses

that deal with the procedures of dentistry. These courses were to better enable the licensee to perform various procedures of dentistry. However, with new federal regulations regarding the Health Insurance Portability and Accountability Act (HIPAA), the board has expanded Category I to include a course in this important new federal regulation, thus broadening Category I.

By defining Category I and Category II courses, a licensee can better determine their continuing education interests and goals. Also, by defining categories, a course is better defined for the purposes of license renewal. Category I would now include courses that the licensee can take regarding California Law (California Law and Infection Control are continuing education courses that must be taken every two years for license renewal).

Category II allows the licensee to take courses that address their specific needs to their practice. For example, Category II courses include employment practices and legal matters.

The Dental Board also believes these changes modernize the continuing education requirements, and defines the minimum course content for all mandatory courses.

This section and Section 1017, Units Required for Renewal of License, are partners in the area of continuing education for dental health care professionals. The Dental Board is currently requesting a change be made to Section 1017 as well. The proposed change to Section 1017 would better specify the number of units in Category I and Category II that can or must be taken for the renewal of licenses. Category I units focus on interactive training directly related to patient care. Category II units gives dental health professionals the ability to pursue areas of self-interest.

Factual Basis for Section 1017

In the past several years, the board has received requests from providers as to the specificity of California Law and Infection Control Guidelines. By re-defining the categories, the board believes this provides specificity. Also, as technology has changed, the board has received requests from providers to allow continuing education to include courses that concentrate in those areas of technology. Again, by re-defining the categories, this broadens the scope of continuing education for all dental health care professionals. The board believes these changes more clearly defines the required units for Continuing Education, as well as the mode of coursework

Underlying Data

American Heart Association, report of 2000.

Business Impact:

This regulation will not have a significant adverse economic impact on businesses.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Dental Board of California would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.